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LIQUOR LICENCE RULES, 1962
AND AMENDMENTS
TO THE KERALA LIQUOR PERMIT
(PERSONAL CONSUMPTION) RULES, 1962.
(**S. R. O. Nos. 114 and 115/66**)

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GOVERNMENT OF KERALA

Revenue 'G' Department

NOTIFICATION I

G. O. Ms. No. 157/66/RD. *Dated, Trivandrum, 11th March 1966.*

SRO. No. 114/66.—In exercise of the powers conferred by sections 25, 26, 28, 29 and 62 of the Prohibition Act, 1950 (Act XIII of 1950), the Government of Kerala hereby make the following amendments to the Kerala Hotel Special Liquor Licence Rules, 1962, namely:—

AMENDMENTS

In the said rules—

(1) in rule 3, for the words "foreigners" occurring in the first sentence, between the words "in retail to" and "who hold permits the words "permit holders" shall be substituted.

(2) in Form X,—

(a) in the first sentence, describing the nature of the licence, for the words "foreigners holding permits" the words "permit holders" shall be substituted.

(b) in conditions 1 and 2, for the words "foreigners who hold permits" the words "permit holders" shall be substituted.

(c) in condition 9, in the first sentence, for the words "foreigners holding permits" the words "permit holders" shall be substituted.

(d) in condition 9, for the third and fourth sentences the following shall be substituted, namely:—

"The licensee may allow foreigners to enter the permit room although they are not in possession of liquor permit, provided that non-permit holders shall not be served with liquor though serving of soft drinks is allowed. Indians who hold permits may also be allowed to enter the permit room. The licensee shall ensure that out of the hotel establishment only employees authorised in this behalf enter the permit room."

By order of the Governor,

C. C. AHMED,
Joint Secretary.

Explanatory Note

(This note is not part of the amendment but is intended to indicate its general purport)

At present managers of hotels run on western style and possessing licence to sell liquor in retail for consumption at their hotels can sell liquor only to foreigners who hold permits. The Board of Revenue has suggested that such managers may be permitted to sell liquor in retail to Indian permit holders also.

The above notification is issued in order to give effect to the above suggestion.

NOTIFICATION II

S. R. O. No. 115/66.—In exercise of the powers conferred by Sections 25, 28, 29 and 62 of the Prohibition Act, 1950 (Act XIII of 1950), the Government of Kerala hereby make the following amendments to the Kerala Liquor Permit (Personal Consumption) Rules, 1962, namely:—

Amendments

In the said rules—

(1) in rule 3, after clause (vi), the following shall be inserted as clause (vii), namely:—

> "(vii) Casual permits for Visitors whose visit is of short duration".

(2) the note under sub-rule 3 of rule 5 shall be numbered as note (2) and before that note as so numbered the following note shall be inserted as note 1, namely:—

> "(1) In the case of temporary residents visiting the State for a period of seven days or less, the fee payable shall be only Rs. 5".

(3) after rule 7, the following shall be inserted as Rule 7—A, namely :—

> "7-A. A visitor coming from another State in India whose stay in the State is a week or less desiring to possess and consume liquor shall apply in Form PCA-7 to the Commissioner or the Assistant Excise Commissioner or any Officer authorised by the Commissioner in this behalf.

In the case of applicants coming from a State where there is no Prohibition, no medical certificate shall be insisted on; provided the applicant gives an affirmation to the effect that he comes from an area where there is no Prohibition and that he is accustomed to the use of liquors. In the case of visitors from places where Prohibition is in force a Medical Certificate or a health permit of the applicant's State will be insisted on as required in sub rules (1) and (3) of rule 7.

A fee of Rs. 5 shall be paid in respect of each such permit. The fee may be paid in cash to the Commissioner, Assistant Excise Commissioner or any other Officer authorised in this behalf by the Commissioner or paid into a Government Treasury under appropriate Head of Account and receipted chalan produced.

The quantity of liquor under this permit shall be fixed after taking into account the status of the applicant, but shall not exceed 1/4 unit per diem.

On receipt of the application, the Commissioner, Assistant Excise Commissioner or any other Officer authorised by the Commissioner in this behalf shall after making such enquiries as he deems fit and satisfying himself that the applicant is a visitor eligible for the permit, grant him a permit in Form PCF—7.

(4) in rule 12, for the words and figures "Form PCA 3 and PCA 6" the following shall be substituted, namely:—

"Form PCA 3, PCA 6, PCA 7 and when the permit applied for is for a period of seven days or less in Form PCA 2".

(5) after the form PCF 6, the following shall be added as Form PCA 7 and PCF 7, namely:—

P. C. A. 7

(*See* Rule 7-A)

To

The Commissioner

The Assistant Excise Commissioner

Application by a Visitor for a casual permit to consume and possess for personal consumption Foreign Liquor and Indian Made Foreign Liquor.

1. Name of applicant. (In block letters)
2. Permanent Address.
3. Place of residence in Prohibition area.
4. Address to which the permit is to be sent.
5. Age of applicant.
6. Nationality.
7. Occupation and approximate monthly income (if the applicant is a Government servant (State or Centre) that fact and the designation of the applicant should be clearly stated against the column.
8. Duration of visit.
9. Date from which and the period for which the permit is required.
10. Quantity of liquor required per diem.

Signature of Applicant.

Affirmation:—

I, ...solemnly affirm that I am a permanent resident of.....................where prohibition of alcoholic liquor is not in force and that I am accustomed to the use of liquor.

Signature of Applicant.

P. C. F. 7

(*See* Rule 7-A)

Permit granted to Visitors to Prohibition areas whose stay is limited to a week or less.

"Whereas, ... (hereinafter called a Permit holder) has applied for a permit to possess and consume liquor in a prohibition area subject to the provisions of the Prohibition Act (hereinafter referred to as the Act) and the Rules and orders made thereunder, on the ground that he is a casual visitor whose proposed stay in the Prohibition area does not exceed a week;

Now, therefore, the Commissioner/Assistant Excise Commissioner/...... .... (or other authority), hereby permits the said ....while visiting any area in which the Act is in force to possess and consume Foreign Liquor and Indian made Foreign Liquor, for the period from ....to................subject to the following conditions to be observed by him/her.

CONDITIONS

1. The privilege extends only to the possession for personal consumption of Foreign Liquor or Indian Made Foreign Liquor, subject to the limit prescribed in condition 2 below. The permit holder shall not entertain any other person with liquor nor shall accept liquor at any entertainment given by representatives of Foreign and Commonwealth Governments. This permit does not cover consumption of liquor in any public place.

2. The quantity of liquor that may be possessed under this permit shall not exceed......................................units at a time and..........................for the duration of the permit.

Explanation:—In this condition Unit means 750 ml. of whisky or other spirit including liquors or 2.25 litres of wine or vermouth or 9 litres of beer or cider.

3. The liquor that may be possessed under this permit shall be obtained (1) from the holder of a licence in Form IX or in Form X issued under section 28 (d) of the Act or (2) from a non-proprietory club in a Prohibition area which holds a license under Section 28 (b) of the Act or (3) from places outside the Prohibition area after obtaining Import permit.

4. For obtaining liquor the permit-holder shall produce this permit before the dealer or club mentioned in condition (3) above who shall make an endorsement on this permit showing the particulars and quantity of liquor issued with date of such issue. For obtaining liquor from a club, he must be a Member of the Club.

5. Transport of such consignment of liquor from the authorised dealer to the Permit holder shall be under a Transport permit issued by the

Assistant Excise Commissioner or any other Officer authorised by the Prohibition Commissioner unless the permit holder accompanies the consignment with this permit. While issuing such permit the date on which and the quantity of liquor for which the permit is issued shall be endorsed on this permit by the issuing authority.

When Liquor is obtained from a club or from holder of a license in Form X (Hotel License) it shall be for consumption at the premises only and shall not be removed from the premises of such Hotel or Club.

When Liquor is obtained from the holder of a License in Form IX it shall be only in sealed bottles, and shall be consumed at the residence of the permit holder.

6. The permit is not transferable and may be cancelled at any time by the Commissioner without assigning any reasons therefor.

Where a permit is cancelled or suspended during its currency the permit holder shall forthwith surrender the whole stock of unconsumed liquor to the Excise Inspector of the Range or Assistant Excise Commissioner of the District. No refund of permit fee will be allowed in any such case.

7. The permit holder shall invariably carry this permit when in possession of the liquor and produce it forthwith on demand by any officer competent to make such demand.

8. The permit holder shall pay a permit fee of Rs. 5.

Place :

Date :

Signature and Designation of
Licensing Authority.

By order of the Governor,
C. C. AHAMED,
Joint Secretary.

Explanatory Note

(This note does not form part of the amendment but is intended to indicate its general purport).

The existing procedure requires Visitors who do not possess health permits, to produce medical certificat·s from Medical Officers if they are to be allowed liquor permits. Apart f om the payment of a fee of Rs. 16 for a medical certificate which is too much for a permit of a few days duration the procedure involves great strain, loss of time and unnecessary botheration to Visitors. The Board of Revenue has suggested that the medical certificate may be dispensed with in the case of Visitors from other States which are not dry, for periods not exceeding a week subject to the condition that they affirm that they are permanent residents in a State which is not dry and that they are accustomed to the use of liquor.